

ADVOCATING FOR LIBRARIES

ADVOCATING WITH LOCAL AND STATE GOVERNMENTAL OFFICIALS

**Contributed by: Steven Duncan, Government Relations Representative
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Advocacy, a Trustees Responsibility

When you accept the honor to serve as a trustee of your library, you also accept the responsibility for your library's effective operation. As part of that responsibility you will need to become involved with those who, in part, control its fate - elected officials. Being an advocate on behalf of your library with federal, state, and local elected officials is one of your primary duties.

To be effective, it is essential to know the political process and to learn ways to affect decision-making at all political levels. Elected officials determine critical issues such as funding, property taxes, governance, and intellectual freedom. This is why you have an obligation to discuss these issues as a trustee with them. You must also become familiar with all aspects of your library's operation. Elected officials rely on your expertise.

What to Do

The first and most important step to effective advocacy is attitude. There is nothing more effective than an enthusiastic advocate. The best advocates advocate all the time. They talk to everyone at every possible opportunity. The more you promote the library, the better at it you become.

Seek out speaking opportunities to present information about your library. Become known in your community as a library trustee who can be called upon to provide information. Go to legislative town meetings and introduce yourself to your legislators. If you like them, become involved in their campaign.

Meet with your elected officials on a regular basis. It's important that you get to know them, but it's more important that they get to know you. Make friends before you need them. Even though the state legislature is part time and you may interact with local officials only at budget time, advocacy is a year-round activity.

How to Do It

There are a finite number of ways to personally communicate. You can meet in person or talk over the phone. You can send a letter, a fax, or an e-mail, leave a phone message, or testify in front of a committee. Whichever way you choose some simple rules apply (although these suggestions apply most directly to the state legislature, they also hold true at the federal and local levels):

- Take a positive approach and be courteous at all times.
- Know what you are talking about: cite facts and figures.
- Be concise, clear, and consistent.
- Request action, but make sure the request is reasonable.
- If they disagree with your position, don't argue and end up hardening their opposition.
- Thank them for their consideration, their time, and support if given.

Meeting in Person

Consider bringing the library director, staff and/or members of the Library's Friends Group.

If you are discussing a specific piece of legislation, bring it and highlight the specific language you wish to discuss.

Bring multiple copies of any written materials you will be using such as fact sheets or issue briefs.

Leave your business card with your work and home phone numbers.

Over the Phone

Mention the bill number and the relevant section.

Ask if you can forward your fact sheet and relevant parts of the legislation.

Be courteous and willing to speak to their aide.

Leave your work and home phone numbers.

Be brief when leaving voice mail messages.

Letters, Faxes, and E-mails

Do not communicate by fax unless requested. Many legislators share fax machines and discourage their use for incoming messages.

Always write letters on personal stationary.

Include your address and phone numbers in the letter as well as on the envelope.

Be brief. No letter should exceed two pages; e-mails should be even shorter.

Mention the bill number and your position in the first paragraph.

Friends groups, volunteers, and library staff all play an important part in advocating on behalf of the library. But your role as policy-maker puts you in a unique position to speak firsthand about many of the challenges facing libraries in the 21st century. Please embrace this opportunity with the enthusiasm it deserves.

ADVOCACY ABCs FOR TRUSTEES

By Ellen G. Miller, President, Kansas State Library Advisory Commission

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Television schedules. Footwear fashions. Diets for pets. These and other important aspects of our lives are subject to constant change, so it's reassuring that one thing stays the same: A library trustee's job. All we have to do is: Attend monthly meetings. Read the agenda beforehand. Evaluate the director in writing annually. Right? Not any more. For decades, trustees got by on that light job description, but today the job has bulked up and includes advocating for dollars.

"Whoa," many trustees say, "Nobody told me I'd be twisting arms!" In fact, many of us became trustees precisely because the job looked easy. Why pay attention to this advocacy stuff now? The answer: S-H-O-R-T F-A-L-L. Our communities need more information, but our libraries don't have enough money to provide it.

The Three-legged Stool

For too long, library staff have carried the advocacy burden alone. Year after year, directors and staff trekked to city council meetings and Legislative Day, telling the story of obsolete equipment, below-market pay scales, and out-of-date collections.

Too often, elected officials saw only vested interests, believing the staff just wanted to enlarge their little empire. The three-legged library-advocacy stool kept trying to stand on one leg, with predictable results.

What was missing? Friends and trustees, the stool's other two legs. As grassroots supporters, we trustees don't have a vested interest. Elected officials pay attention when grassroots folks team up with staff to tell how the community will benefit from longer hours or a new children's room. The director-trustees-friends team has political clout because it has access to something officials love. That something is votes.

Regrettably, too many trustees still are reluctant to seek funds from their mayor, city council, county commission, or state legislature.

Fear of Trying

Many barriers exist. Some of the main excuses trustees give for not doing advocacy include:

"I don't know how." Solutions abound. More advocacy workshops pop up all the time. If "advocacy" is a foreign word, start with your state conferences. Then check out activities of ALA's Association of Library Trustees and Advocates (ALTA) at www.ala.org and ALA's Library Advocacy Now! Campaign. Also see what Libraries for the Future (www.lff.org) is up to. Another tack: Advocacy training at your own board meetings. Under the leadership of chair Gail Dysleski, the East Brunswick, New Jersey, board spends part of its monthly meetings practicing answering tough questions. The library serves an estimated 43,000 people.

"I hate making cold contacts." So don't. While some folks are intimidated, others see advocacy as an everyday activity. "If you tell your neighbors or fellow PTA members what wonderful things are happening at the library, that's advocacy," says Dysleski, who is the current ALTA president. Talk with the local elected officials or candidates you know. Call Mayor Mike-your kids and his kids play T-ball together. Ask him for a brief meeting to discuss library needs and funding. Rehearse, then go do your best.

"I'm not sure what to say." Practice helps. Have your director prepare a fact sheet, with a budget. Then rehearse, especially anticipating cost questions. Does the mayor think 50 cents per person per year for libraries is fine? Point out that that doesn't even buy a cup of coffee at Billy Bob's cafe.

"I hate to bother elected officials in their off hours." Stop right there! Across the United States, local elected officials will tell you that they want to hear from citizens. As Kansas state Senator John Vratil said, "If we don't hear from you, we think you don't care." Don't be thoughtless, though, haranguing County Commissioner Kate at the grocery store while her ice cream melts. Instead, tell her you'll be calling for an appointment.

"It's an uphill fight." That's right, but you have to start by starting. Decide how to improve services to seniors, home-schoolers, or others. Then make a game plan, because the competition sure does--police, parks, water districts, and others want money, too. Put together a persuasive case for the city council. "If you sit out and don't do anything, nothing is what you'll get," commented Las Vegas-Clark County, Nevada, former trustee Moises Denis.

"Libraries are low priority." Beware this self-fulfilling prophecy! Too often, it's due to us library supporters confusing means with ends. Instead of talking about the winners, we drone on about multimedia collections and interlibrary loan. What's the goal? Showing elected officials how home-schoolers, seniors, families, and students of all ages (read: *voters and potential voters*) will benefit.

Advocacy Must-do's

Unfortunately, some make advocacy sound like the quest for the Holy Grail, remote and unreachable. In fact, it's just a means toward an end, which is to carry out your libraries up-to-date vision and strategic plan. What, you don't have one or both? Don't walk, *run* to put strategic planning on next month's agenda. Both planning and vision are part of POSCERV, the management model that covers planning, operations, staffing, communications, evaluation, resources, and vision.

Meanwhile, here are some points to keep in mind:

Long-term goals

Advocacy helps position your library with decision-makers, specifically elected officials and voters. But realism must rule, as the Las Vegas-Clark County Public Library knows. The library's strategic plan showed the need for a facilities bond issue, and the June 2001 ballot looked like a good place for it until a prominent state legislator from Clark County started promoting his own town's library issue. Bowing to reality, the Las Vegas-Clark County library shelved its plans to get on the ballot and benefited since voters nixed all library ballot issues. Denis foresees a four partner Clark County library coalition in future elections. "We need to form on common grounds and get past our differences," he said.

Short-term goals

Start with your game plan (including deadlines and who's responsible for what). Then get your three-legged stool assembled and functional. Seek out advocacy partners as appropriate. Having your local home-school network, historical or genealogical society, or ministerial alliance speak out gets the city council's attention. Those groups' comments on how their constituents will benefit takes your library advocacy to a new level of political clout.

Tools of the trade

Decide which methods to use. They typically include:

In-person contacts, whether at the elected official's office or out in the community.

Letters, faxes, e-mails, telegrams, and mailgrams.

Videos. In the late 1990s, the Lexington (Ky.) Public Library, which serves about 260,500 people, showed its short video, *Wings on Words*, to a newspaper's editorial board. "You need to have a good video and presentation by the board chair and library director," says chairman James Wyrick. "Present not only your needs but the positive things that the library is doing with its limited resources."

Media coverage. Letters to the editor, guest columns, press releases, photos, and even paid information ads get your story across.

Talk radio. Put an articulate advocate on the air to give facts and to answer questions.

Community TV, public service announcements (PSAs).

Presentations. Get on the agenda of business and civic groups such as the Chamber of Commerce and Rotary. A short video or PowerPoint presentation gets things started right.

Special library events such as Teen Poetry Cafe, home-schooler Web training, and Pajama Storytime featuring a local elected official.

Does every method need to be used? Of course not. Pick and choose what will work best with your targeted person or group. Tip: Some elected officials love e-mail, others ignore it. Find out before you use this method extensively. How? Call them or their secretary!

Follow up. Don't argue, just do it! Follow-up includes: A handwritten letter to all elected officials you visit, thanking them for their time and reminding them of the specific action you seek.

Special thanks to elected officials who voted for your cause, even if it didn't pass this time.

Visibility in your library's own or state trustee association newsletter, naming those who voted "yes."

Copies of e-mails, letters, faxes, etc., to your advocacy captain. Why bother? Because copies let your team see who's saying what to whom. The city council will pay extra attention to your presentation when you flip a stack of copies; they represent caring citizens who usually vote.

Staying power

Advocacy is like parenthood: It goes on and on ... and ON! I believe library advocacy must be led by the folks who live and breathe libraries 24 hours a day: the directors and staff. We supporters need input into plans, of course; but when the game plan is ready, it's time for us to play our position.

"Public libraries are the highest form of democracy that we have," said Lexington trustee Wyrick. "We serve all the people. There is no greater charge or responsibility than to provide information services to the total population, regardless of background, income, or social status."

Grassroots advocates make the difference between a library that limps along and one that sprints. The buck does stop with us.

Trustee Association Health Quiz - What's *Your State's* Score?

Need more library clout with elected officials? Worried about poor trustee turnout on Legislative Day? Afraid that trustees can't learn new tricks like advocacy?

If so, it's time to ratchet board members up to a new level. A key player is your state trustee group. It may be a section of the state library association (as in Kansas and Georgia) or a stand-alone entity (New York and California). Whatever the organizational form, its members must be effective advocates for statewide library priorities.

Get out your stethoscope! Take this health quiz to find out if your statewide trustee group is robust, comatose, or somewhere in between.

True False Don't Know

1. At least 25% of our state's trustees belong.
2. Offers 4-8 sessions at the annual library conference.
3. Offers 4-8 workshops per year around the state.
4. Works closely with the state library and other groups.
5. At least 10% of the members contacted state legislators last season.
6. Members get discounts for conferences and workshops.
7. Has an active, diverse board that gets things done.
8. Member communications include newsletter, e-mail, Website.
9. Conference and workshop attendance keeps growing.
10. Members from small libraries qualify for grants, stipends.

Scoring: True = add 10 points. False = subtract 5 points. Don't know = subtract 2 points (and contact your library director ASAP for the facts.)

85-100 Other states need to find out what your trustee group is doing! Write an article for ALTA's *Voice*.

60-84 Pretty good, but avoid complacency. Find out what your group is offering this year.

30-59 Beware the slippery slope. Ask your director how you can help.

< 30 Call your state trustee group today! Offer to help it get back on track.

ADVOCACY AND ELECTION CAMPAIGNS - PUBLIC DISCLOSURE COMMISSION

The Washington State Public Disclosure Commission (PDC) was created and empowered by an Initiative of the People to provide timely and meaningful public access to information about the financing of political campaigns, lobbyist expenditures, and the financial affairs of public officials and candidates. It also seeks to ensure compliance with contribution limits and other campaign finance restrictions.

Library boards and employees must be fully aware of the rules and the potential consequences of political activity that does not meet the state rules and regulations. The PDC publishes many informational documents, as well as a Website that includes the laws, interpretations, and required report forms. If you have questions about use of facilities or public funds contact your library director, the PDC, legal counsel for the library, or the city/county attorney.

Using Public Resources for Political Activities

In 2000, State Attorney General Christine Gregoire distributed the following information in a memo to clarify the appropriate use of public resources. Although written for state government, the questions and answers are generally applicable to public libraries.

Activities Prohibited by RCW 42.52.180

1. Using work hours to solicit signatures for ballot propositions, to raise funds for or against such propositions, or to organize campaigns for or against such propositions.
2. Using public property to campaign for or against a ballot proposition, except that “neutral forum” public property otherwise open to public use may be used for campaigning also.
3. Using public facilities—office space, electronic mail and data processing equipment, word processing and copying facilities, paper, supplies, and any other publicly owned property—for campaigns for or against a ballot proposition, whether during or after work hours.
4. Displaying political material in or on publicly owned vehicles.
5. Displaying or distributing campaign material on publicly owned or operated premises (other than “neutral open forum” property or “personal space” property as discussed below).
6. Using public supplies, equipment, or facilities to print, mail, or otherwise produce or distribute materials supporting or opposing any candidate or ballot proposition.
7. Using publicly owned facilities to instruct or urge public employees to campaign for or against a candidate or ballot proposition on their own time, or stating or implying that their job performance might be judged according to their willingness to use their own time on a campaign.
8. Using public time and/or facilities to draft or pass a resolution by an appointed committee, board, or commission taking an official position for or against a pending ballot proposition.

Conduct That Appears to Be Acceptable Under *RCW 42.52.180*

1. An elected legislative body may collectively endorse or oppose a ballot measure if it meets the procedural requirements of *RCW 42.52.180(2)(a)*.
2. An elected official may make a statement in support of, or in opposition to, a ballot proposition at an open press conference or in response to a specific inquiry or may make incidental remarks concerning a ballot proposition in an official communication, so long as there is no actual, measurable expenditure of public funds. Again, note that this exception is limited to elected officials and does not, by its terms, extend to such “support” activity as using staff time or state facilities to prepare or distribute such a statement, at least if any “measurable expenditure” of public funds is involved.
3. State-wide elected officials and legislators may make de minimis use of public facilities to prepare or deliver communications giving their views on ballot propositions that foreseeably may affect a matter that falls within their constitutional or statutory responsibilities. Note that this exception is limited, again, to elected officials, and that it is related to the scope of each officer's official duties. Thus, the Governor and the members of the Legislature may have authority to make statements on more issues than, say, the Secretary of State or the Insurance Commissioner, whose scope of operation is more narrowly defined.
4. Unless it is inconsistent with some other applicable law or regulation, a public employee is not prohibited from campaigning for or against a ballot proposition on the employee's personal time. It should be clear that the activity is the individual's personal choice and is not tied to job performance in any way. For state employees, the term “personal time” would ordinarily only include: (1) time outside the employee's normal work day; or (2) time when the employee is on vacation leave status or is using leave properly and lawfully accumulated and consistent with applicable statutes and personnel regulations; or (3) on unpaid leave status.
5. Public employees may contact fellow employees, away from the office, to circulate petitions or to solicit one another for funds, volunteers, and other activity for and against a ballot proposition, but only under circumstances which strictly avoid the use of office time and public property. Officers and employees would be wise to avoid soliciting subordinate employees because, under those circumstances, the subordinate employees may feel (no matter how carefully the campaign is conducted or the inquiry is phrased) that the superior is using improper influence.
6. Where public space is available on a non-restricted basis to post signs, petitions, and advertisements, or to make speeches and hold meetings, public employees may use these “neutral public forum” spaces to express their own views, including their views on pending ballot propositions, assuming they are not otherwise violating *RCW 42.52.180*. However, it might well be a violation of the statute for public employees to use their positions to gain special advantage in the use of such “public forum” spaces, such as by signing up all the time for the use of a public auditorium before non-employees have had an equal opportunity to seek use of the same space, or by using their access to a public bulletin board to occupy the entire space with favored campaign material and leaving no space available for opposing material (or material relating to other matters).

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7. Public agencies may conduct research into the likely results of the passage of a ballot proposition. Indeed, where the passage of the proposition would directly affect the agency's duties, an agency might be remiss for not conducting such research activity. However, it must be clear that the research is being conducted with the purpose of gathering the facts, is directly related to the ordinary conduct of the agency's business, and is not designed to support or oppose a candidate or ballot measure. I recommend that agencies avoid conducting research or assembling statistical data which they expect to be requested for use in connection with a campaign, unless they are satisfied that they would have undertaken the same research or statistical efforts for independent reasons, such as planning for contingencies.
 8. Public agencies and public employees may supply public records in response to requests made by the supporters or opponents of candidates or ballot propositions. An agency should treat all campaigns fairly and equitably in responding to requests for public records.
 9. Where two or more measures relate to the same subject, agencies may publish factual information showing the comparative effects of the measures, just as they could publish factual information showing the expected effect of a single measure. However, the agency may not use public facilities or property to favor one proposition over the other, any more than it could urge passage or defeat of both measures.

ELECTION CAMPAIGN STRATEGIES

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(Adapted with permission from *Public Relations Tip Sheet, A Publication of the Washington Library Association*, December 1986)

Success: Campaign Strategies

While supporters of schools and fire districts spend much of their time stalking the wily tax increase, the library has remained one of the less political beasts in the public sector jungle. Libraries and their supporters therefore tend to be inadequately prepared for political action of this sort.

The State of Washington's Public Disclosure Commission draws a clear distinction between what the employees of a public agency can and cannot do in support of a ballot measure. It also states what is required of a citizens campaign committee or advocacy group. It is essential for library trustees to be familiar with this law (RCW 42.52.180) and to support the library director in efforts to comply with the law.

An election, win or lose is an enormous chore and an all-consuming distraction from the business of running a library. Careful planning is the only sure way to ensure that election laws are followed. So, since you never know when an appeal to the voters will be necessary, it might be well to review and consider some basic elements of a campaign now, just in case.

General Information for Library Staff and Citizen Library Advocates

Timeframe

If there are six months or more before the election, start today. If less, start last Tuesday.

In essentially chronological order:

- Spend months, years if possible, establishing with your public that the library is efficient but still needful, at the same time building a positive team-like attitude among staff. The hostility, even indifference, of either group can kill a library election.
- Generate professionally sound reports and use public meetings, user surveys, or whatever to document the library need. The results will show that the library planned carefully and that the public participated in designing the proposal.
- Draft the proposal of library improvements to be funded or other justification for the ballot proposal. This can be done before consulting the public if the library wishes to provide something to which people can respond. In either case, the public as patrons should be consulted on their preferences on matters of library use, rather than on where the library should locate, build, or how to operate.
- A citizens campaign committee needs to include supportive, politically-astute people with influence and lots of connections within business, finance, public relations and media, major social elements as well as the library community of library board members and Friends. The campaign committee will need an experienced campaign treasurer who can meet the Public Disclosure Commission (PDC) obligations.
- The library board will finalize the parameters of the library proposal, including features that the public has deemed necessary.
- Learn election law. As a public agency the library must scrupulously follow state laws and the PDC regulations. (See “Using Public Resources for Political Activities, pages 23-7 through 23-9) and the PDC website at www.pdc.wa.gov
- The library director and communications staff can prepare only one fact sheet for public distribution through normal and regular methods—no other brochures, posters, etc. The library's informational fact sheet may present only the facts and must include the proposal's cost to the taxpayers. Copy should be complete but spare. This is a good place to use bulleted copy, and a question and answers format.
- It is strongly recommended that the fact sheet be reviewed by the Public Disclosure Commission staff for compliance with the law. Allow several weeks for the review and any necessary changes.

Citizens Advocacy Campaign

The following activities are part of an advocacy campaign to be managed by non-employee supporters of the library. Library facilities and equipment must not be used in any way to support a campaign. Library employees may be involved but only on their own time.

The campaign committee must prepare a campaign plan and a budget establishing priorities and projected costs for various possible activities.

All this should be completed months before the election. Campaign committee fundraising, recruitment of volunteers, and general public awareness activities then proceed until the final two or three weeks. Usually only then will the campaign committee begin intense, highly visible campaigning that will be sustained through election day.

This late, brief concentration of effort tends to be necessary since this activity level consumes funding and human resources voraciously. It makes sense, too, because the timing is good for a motivational message and because it allows minimal time to provoke organized resistance.

Most voters in Washington are voting by absentee ballot. They tend to vote as soon as they receive their ballot. So campaign efforts need to be timed and targeted for maximum impact at the time of ballot mailing.

Campaign Committee Literature

The campaign committee's flyer and other information can say, "Vote yes!" and doesn't have to include anything it doesn't want to other than to note that the piece was "paid for by...." It can't, however, be effective if it leaves too many essential questions unanswered.

Campaign Committee Activities

In terms of fund-raisers, there is little to distinguish campaigns from other causes. Campaign committee volunteers and staff on their own time, can, through typical sales, and events or more imaginative promotions, make money, publicize the library issue, and demonstrate community support.

Leafletting at fairs, malls, sports events, etc., could be useful if:

- A lot of people eligible to vote on the library issue will be passing by.
- There are sufficient numbers of volunteers to cover the schedule.
- There are effective handouts in quantity.
- The campaign has an attention-getting device or activity to act as a magnet.

Delegations, usually high-level, from the campaign committee can visit with editors of local papers and broadcast news/public affairs directors, as well as with the Municipal League, labor councils, professional organizations, and other bodies representing segments of the community, to discuss the library issue and seek endorsement.

A speaker's bureau can be formed to send campaign committee people to talk to clubs, PTSA's, etc. Library staff can provide information about the issue, but again, must not say "Vote yes!"

Doorbelling by volunteers is very persuasive although labor intensive. It shows supporter commitment and allows two-way communication. Volunteers will need courage, coaching, and good handouts.

Telephoning voters can be the most effective single effort. Best timing is within two to three days of the ballot mailing -- the closer the better. Some do an earlier session plus pre-election follow-up. Like doorbelling, it is two-way communication, it shows supporter commitment, and it provides the bonus of a current reading of voter response. The campaign committee will need donated space with many phone lines, a lot of volunteers with scripts to follow, and some coaching on the basics.

Campaign Committee Tools

Mailing list companies can provide lists of frequent voters with phone numbers, and labels bearing their addresses. Although these cost several hundred dollars they are a real bargain as they allow the campaign committee to concentrate efforts where the potential is greatest, making phoning, doorbelling, and mailing vastly more efficient.

Informational materials should follow basic advertising principles on printed items. The library message will be concisely stated and displayed with graphic simplicity for most pieces. There should be uniformity of color and design used throughout the various media.

Flyers can be designed to serve as mailers. Consult with the post office on layout of the address panel. While the library may not legally produce reams of flyers, etc., specifically for campaign committee use, there is nothing to stop library supporters from scooping bunches from library displays to share with their community. On the other hand, "Vote yes!" material may be distributed by the library if the library routinely makes space available for campaign material for all candidates and ballot measures.

Post cards serve well as reminders to vote to those already otherwise contacted.

Letters work as appeals for funds and as informative/inspiring messages to volunteers. Solicitations for funds should include an addressed return envelope. On it or an enclosed card should be spaces for the respondent's name, address, phone number, and amount contributed, plus places to check suggested campaign tasks they would be willing to do and whether or not their names may be used in endorsement of the issue. Thank you's, which can include a reminder to vote, are appreciated and can help cement people's support for future elections.

Mass mailing of the above items can be expensive and procedurally baffling. A campaign committee should consult a professional mailing outfit early, or recruit a supporter who understands the postal mind. Normal people under the closest postal service guidance are likely to prepare the mailing incorrectly.

Websites can provide a good deal of information. The library can, and should place its planning documents and information on their website as soon as it is adopted by the library board. The campaign committee can create a separate Web site that explains why the electorate should "Vote yes!"

Yard signs are expensive to produce and labor intensive to assemble and place. They can become lost in chaotic plantations of competing signs until vandals steal and crush them to the satisfaction of many who consider them gross visual pollution. Still, very striking ones signs could be effective for general public awareness.

Posters may be given to any or all supporters for placement in their neighborhoods with business or other property owners' permission. As with yard signs, the campaign committee should record all placements and remove them after the election

Mass Media

The more "mass" the media get, the less specifically the library audience is targeted. Customized, localized ads and releases in weekly papers; school, club and company newsletters; church bulletins, etc., can get just the right message to sub-units of the electorate. The library should send informational releases to all major media, while the campaign committee should place "Vote yes!" ads in larger papers near election day. Some papers run an election page or section at this time which is a good place for the campaign committee to make a paid appearance. This is the time for the campaign committee to trot out those endorsements.

Important advantages of using broadcast media are that they reach those people who never read and the use of additional media reinforces the message for those who do. The broadcast media has wide market coverage, so if the election affects only part of a station's audience, the campaign will be investing a lot to reach people who can't vote in the election to help the library. If broadcast is appropriate and affordable, well-targeted radio, with lower production and airtime costs, may be a better bargain than TV.

In some areas transit signs can be very effective, reaching amazing numbers of people. These are expensive, and the campaign committee may need to reserve space early for busses on the desired routes.

T-shirts, if affordable, are good for morale and are fairly effective. Buttons can be substituted by printing on round Avery-type labels that can be mailed to supporters. And they won't make holes in your clothes.

Miscellaneous

For the Campaign Committee

- Go with the library strengths. The campaign committee should be sure to reach and motivate those already positive, then attempt to sway the undecided and, lastly, to convert the hostile.
- Appeal to library users through their knowledge and experience of what you can offer. Appeal to non-user supporters through their dearly held cultural and educational images of the library.
- School districts and their supporters are politically experienced in most cases and can offer valuable help in many forms.
- Suggest that supporters tell friends and relatives to vote for the library, and encourage letters to the editor by those who communicate well.
- Look for donated services from printers, advertisers, etc., who may be able to give more that way than in cash.
- If the library issue is placed in an obscure corner of the election ballot, it may be helpful to include its location in a handout because substantial votes can be lost if potential voters bypass the library issue.
- Thank everyone profusely. The library may need their help again.

For the Library

- Supply staff with official, acceptable responses to anticipated public questions and concerns. Stress that fund-raising and directly-persuasive activities must not, under any circumstances, involve library time nor property.
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**GUIDELINES FOR LOCAL GOVERNMENT AGENCIES, INCLUDING
SCHOOL DISTRICTS, IN ELECTION CAMPAIGNS**

PUBLIC DISCLOSURE LAW RE: USE OF FACILITIES IN CAMPAIGNS

(This information can be found on the Public Disclosure Commission Website at www.pdc.wa.gov)

RCW 42.17.130**Forbids use of public office or agency facilities in campaigns.**

No elective official nor any employee of his office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency: PROVIDED, That the foregoing provisions of this section shall not apply to the following activities:

- (1) Action taken at an open public meeting by members of an elected legislative body to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;
- (2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;
- (3) Activities which are part of the normal and regular conduct of the office or agency.

RCW 42.17.131**Exemption from RCW 42.17.130.**

RCW 42.17.130 does not apply to any person who is a state officer or state employee as defined in RCW 42.52.010.*

* Similar prohibitions on the use of public facilities by state employees and state officers are described in a memorandum from the Attorney General's Office regarding RCW 42.52 and available at www.wa.gov/ago/pubs.

WAC 390-05-271**General applications of RCW 42.17.130.**

(1) RCW 42.17.130 does not restrict the right of any individual to express his or her own personal views concerning, supporting, or opposing any candidate or ballot proposition, if such expression does not involve a use of the facilities of a public office or agency.

(2) RCW 42.17.130 does not prevent a public office or agency from (a) making facilities available on a nondiscriminatory, equal access basis for political uses or (b) making an objective and fair presentation of facts relevant to a ballot proposition, if such action is part of the normal and regular conduct of the office or agency.

WAC 390-05-273**Definition of normal and regular conduct.**

Normal and regular conduct of a public office or agency, as that term is used in the proviso to RCW 42.17.130, means conduct which is (1) lawful, i.e., specifically authorized, either expressly or by necessary implication, in an appropriate enactment, and (2) usual, i.e., not effected or authorized in or by some extraordinary means or manner. No local office or agency may authorize a use of public facilities for the purpose of assisting a candidate's campaign or promoting or opposing a ballot proposition, in the absence of a constitutional, charter, or statutory provision separately authorizing such use.

BASIC PRINCIPLES

1. Public facilities may not be used to support or oppose a candidate or ballot proposition unless one of the exceptions in RCW 42.17.130 applies. Public facilities include equipment, communications systems, buildings, supplies, employee work time, and agency publications. The statute includes an exception to the prohibition for "activities which are part of the normal and regular conduct of the office or agency."

2. RCW 28A.320.090 authorizes the board of directors of any school district to expend funds to prepare and distribute information to the general public to explain the instructional program, operation and maintenance of the schools of the district. This includes informing the community of the needs the district faces and needs students have that the community may not realize exist provided that nothing in that statute is to be construed as authorizing preparation or distribution of information to the general public for the purpose of influencing the outcome of a school district election.

3. No other unit of government has anything similar to this statutory language for school districts to rely on or guide them, but the Commission contends that local agencies have a responsibility, and hence the authority, to communicate with the public about the operation of the agency or jurisdiction.

4. Local employees do not forfeit their rights to engage in political activity because of their employment so long as they do so during non-work hours and without using any public resources. Neither may public employees be subjected to coercion, pressure, or undue influence to participate in political activity or to take a particular position. When they participate in political activity, on their own time, public officials and employees should make it clear that their participation is personal rather than officially sanctioned.

5. Supervisory personnel have a duty to know, apply and communicate to their staff, the difference between acceptable information activities and inappropriate activities that support or oppose a ballot measure.

6. Elected representatives of a jurisdiction are free to vigorously support ballot issues and engage in other political activities as long as such activities do not make use of public facilities, time or resources and do not either pressure or condone employees' use of public facilities, time or resources to support ballot issues.

7. The PDC is charged with enforcing RCW 42.17.130. This requires consideration and analysis of activities which may or may not be determined to be in violation of the statute. The PDC has, over the years, developed methods of considering and analyzing activities engaged in by local government offices and agencies. Among the factors considered are the normal conduct of the office or agency and the timing of activities as compared with ballot measure elections. As in any matter where intent is to be considered, hard and fast rules which will be applicable to all situations are difficult to establish.

The combination of any number of activities involving close coordination between a local agency and a citizens' committee which resembles traditional election campaigning and which is undertaken in anticipation of and/or occurs near in time to a ballot measure election is likely to draw scrutiny from the PDC regarding a possible violation.

Activities that Violate RCW 42.17.130

1) Using work hours to:

- solicit signatures for ballot propositions,
- raise funds for or against candidates or ballot propositions, or
- organize or conduct campaigns for or against candidates or ballot propositions.

2) Using public property to campaign for or against a candidate or ballot proposition, except when a public building or playing field is customarily made available on an equal access, nondiscriminatory basis for a variety of uses, including political activities. That is, the facility is merely a "neutral forum" where the activity is taking place, and the public agency in charge of the facility is not actively endorsing or supporting the activity that is occurring.

3) Using public resources -- office space, computers (including electronic mail and other information technology systems), copiers, telephones, postage meters or any type of equipment, paper, supplies, or anything else belonging to the agency -- to aid campaigns for or against a candidate or ballot measure, whether during working hours, before or after the work day, or on weekends.

4) Carrying or displaying political material in or on publicly owned vehicles.

5) Displaying or distributing campaign material on publicly owned or operated premises; however, if an agency does not have a policy prohibiting employees from wearing campaign buttons or similar items while on-the-job, employees are not prevented from doing so by the public disclosure law.

6) Using public supplies, equipment, or facilities to print, mail, or otherwise produce or distribute materials supporting or opposing a candidate or ballot proposition.

7) Using publicly owned facilities to instruct or urge public employees to campaign for or against a candidate or ballot proposition on their own time, or to state or imply that their job performance will be judged according to their willingness to use their own time on a campaign.

Activities that Do Not Violate RCW 42.17.130

- 1) An elected legislative body may collectively vote to support or oppose a ballot measure so long as proper public notice of the meeting references the ballot proposition's title and number, and persons who oppose the proposition are given an approximate equal opportunity to express their views.
- 2) An elected official may make a statement supporting or opposing a ballot proposition at an open press conference, or in response to a specific question from the public. (However, the statute does not authorize the official's staff to draft, type or distribute a press release while using public facilities.)
- 3) An elected official or public employee may prepare balanced, objective, accurate information on the anticipated impact of a ballot proposition and distribute it in a manner customary for the agency.
- 4) While using public facilities, officials and employees may register persons to vote and do periodic poll checking.
- 5) An elected official who is not being compensated and is not using any public equipment, vehicle or other facility, may attend any function or event at any time during the day and voice his or her opinion about a candidate or ballot proposition. Further, the official may use his or her title when making these appearances, but should clarify that he/she is only speaking on behalf of him or herself, not the agency.
- 6) Any public employee, on his or her own time and without using any public facility, may support or oppose a candidate or ballot proposition. This includes putting bumper stickers and other legal signs on private vehicles (even if those private vehicles are parked on public property during working hours).

Questions Commonly Asked On Use of Public Facilities in Campaigns

1. Question: May a local agency publish a brochure or printed piece outlining the anticipated impact of a proposed ballot measure?

Answer: The Commission has operated under the presumption that local agencies have a responsibility to communicate with the public about the operation of the agency or jurisdiction. Local agencies can make an objective, balanced, accurate and fair presentation of facts relevant to a ballot proposition.

Local agencies may generally publish a "fair presentation of facts" relevant to an election matter, however the determination of the propriety of the public expenditure depends upon a careful consideration of such factors as the style, tenor and timing of the publication; no hard and fast rule governs every case. Be careful that photos or graphics used in the fact sheet do not advocate support or opposition of a ballot measure.

A growing number of glossy sales pieces are being put out by public entities. They may be factual, but they look very much like promotional material designed to influence the election. The public perception is that they are campaign literature. Such pieces do as much, or more, damage to public goodwill and confidence than a finding of a violation of law by the Commission.

2. Question: How may a local agency distribute factual information about a ballot measure?

Answer: A local agency may distribute factual information to all citizens within its jurisdiction. Each agency can determine the best way to distribute information to the public without targeting individuals or use of marketing techniques that promote or oppose the ballot measure.

3. Question: May a local agency prepare different materials for different audiences?

Answer: A local agency may only prepare one fact sheet for distribution in a normal and regular manner. Publishing different information for selected audiences is promotional. If it can be demonstrated that there is confusion about factual information of a ballot measure, a jurisdiction may then send clarifying information to the citizens in the same manner as the initial fact sheet.

4. Question: May local agency personnel participate in the formulation of a plan for activities associated with a ballot measure when the plan provides for promotional activities to be conducted by a citizens' committee and informational activities to be conducted by local agency personnel?

Answer: It is appropriate for local agency personnel to develop and provide information about a ballot issue to the community so that the electorate can cast informed ballots. It is also important for supervisory personnel to clearly delineate which activities are informational and which are promotional so that agency staff does not use public facilities to promote the ballot issue.

Agency personnel may participate on their own time and without using public resources in the activities of a citizens' committee formed to support or oppose a ballot proposition.

Supervisory employees may not pressure or influence employees to participate in campaign activities. A plan developed or approved by supervisory employees which closely coordinates local agency informational activities with promotional or opposition efforts of a committee will subject the agency to scrutiny by the Commission.

Agency directors are free to participate fully in planning and executing campaign activities in support of or opposition to ballot measures as long as public facilities are not used.

5. Question: May local agency publications inform staff of promotional activities and the opportunity to participate in those activities; and to what extent can publications encourage employees to participate in promotional activities?

Answer: If agency publications normally and regularly inform staff of private activities in which they might wish to participate, a community calendar, for instance, it is appropriate to include dates, times and places of promotional activities in support of ballot issues. The agency must also afford similar opportunities to those advertising activities in opposition to the ballot measure as well as other private activities. It is important not to misuse this forum for communicating factually by engaging in activities that promote or oppose a ballot measure.

It is permissible to allow campaign committees to use public facilities on the same terms and conditions as other community groups, and complete schedules of such uses may be distributed to staff. Supervisors are obligated to brief staff on the distinction between informational activities and activities that advocate for or against a ballot measure, emphasizing that improperly using public facilities to promote or oppose a ballot measure is illegal.

6. Question: May local agency publications encourage staff to vote, including permitting staff to wear "vote" stickers?

Answer: Yes, it is permissible to encourage civic participation by staff and members of the community, as long as such encouragement occurs for other elections, and not just for a ballot measure election involving your jurisdiction. Additionally, it is permissible, if consistent with agency policy, for staff to personally choose to wear any political buttons, including those urging support, or opposition, to a ballot measure. Local agency personnel may not organize an effort to get staff to wear campaign buttons.

7. Question: May local agency administrators inform, through internal memoranda, their department directors, supervisors, and administrative staff of meetings of groups supporting or opposing ballot measures? If so, to what extent may agency administrators encourage attendance at those meetings?

Answer: No. Internal memoranda are created on agency supplies with agency equipment by agency personnel on public time. Such facilities may not be used to promote or oppose a ballot measure. Administrators may not encourage employees to participate in campaign activities and must avoid giving the impression to employees that participation in campaign activities is required or is a condition of advancement or continued employment.

8. Question: May local agency publications describe to the community the importance of voting in any election and encourage citizens to vote, register to vote and request absentee ballots?

Answer: Yes, as long as such activities are done throughout the year in the same manner for all elections, not just for a ballot measure election involving your jurisdiction. Such activities may not be used to promote or oppose ballot measures.

9. Question: May a local agency conduct market research to determine the feasibility of a levy or bond measure passing in the community?

Answer: When a local agency conducts market research within the community it is limited to determining community priorities and/or public perception of the agency's performance. Market research on whether or not to place a measure before the public for a vote and at what taxation level the public would support could be considered activity that supports a ballot measure.

10. Question: To what extent may the local agency organize a telephone survey in which persons who voted in the past several elections are called and asked if they support or oppose the ballot measure; persons who answer positively or are undecided are then sent factual information and reminded to vote?

Answer: A survey that targets voters and is designed to shore up support or opposition for a ballot measure is an inappropriate public expenditure. Agencies may survey their communities in a variety of ways, both to determine what the community believes is important and to inform the community about programs and policies. However, an agency may not use public resources, time or facilities to target voters or to survey in a method designed to identify and advocate for or against ballot measures.

11. Question: May a local agency sell to advocacy groups information it has obtained regarding names, addresses and phone numbers of citizens who voted in previous elections?

Answer: Public records obtained by the agency for proper agency purposes are statutorily required to be available to anyone who requests them. A "list of individuals" prepared by a local agency may not be used for commercial purposes. The agency may only recover its costs in providing copies of such records.

12. Question: May agency personnel, during non-working hours, distribute materials supporting or opposing a ballot measure on agency property?

Answer: The Commission has not taken exception to campaign groups using public facilities so long as use is made available on a non-discriminatory, equal access basis and is normal and regular for the local agency to provide such activity. If the local agency allows the proponents of a ballot measure to distribute materials, it must allow the opponents to do so also. If the local agency charges one group rent, it must charge the other group at the same rate.

Agency personnel, on their own time and not in uniform, may distribute campaign materials as long as public resources are not used.

13. Question: May an advocacy group for a ballot measure solicit vendors or contractors doing business with an agency for donations?

Answer: The restriction on "clientele lists" is not quite as complete as it might seem. Such lists are public records. Their release is governed by the public records provisions of RCW 42.17.250 et seq. If the list is generally available to the public, it cannot be denied to someone who says they will, or who it is thought might, use it in a campaign. If the list is made available to the proposition supporters, it must be made available to the opponents, if they ask.

14. Question: May the information in the published factual information about a ballot measure be posted on a local agency web page?

Answer: Yes. The fact sheet in its entirety may be posted on the agency's web page.

15. Question: At what point in time does a local agency become subject to the law prohibiting use of public facilities in campaigns?

Answer: A local agency is always subject to the statutory prohibition of using public facilities in campaigns. The timing of a particular activity will be a significant element in the "normal and regular" conduct assessment. An activity that may pass the test at one point in time may fail the test at another time.

Activity performed by a local agency in anticipation of a ballot measure may very well be looked at by the Commission as advocating support or opposition of the measure.

16. Question: May a union representing public employees distribute materials supporting or opposing a ballot measure on the local agency property?

Answer: The distribution of campaign materials by union representatives to their members must be limited to the agency lunchroom or break room which is dedicated to staff and not accessible to the general public.

The Commission has said that the internal mail system of an agency is a public facility. In PDC Declaratory Ruling No. 4 (5/27/1980), the Commission reaffirmed a decision it made in an enforcement setting that the use of a local agency's internal mailing systems for candidate endorsements would violate RCW 42.17.130. The same conclusion applies to using an agency's internal mail system to distribute materials supporting or opposing a ballot measure.

17. Question: May the union post campaign materials on the union's bulletin board located in the local agency facility?

Answer: Only if the local agency, under union contract, provides a bulletin board in an area that is not accessible to the general public.

18. Question: May staff or board members make presentations explaining a ballot measure to service clubs, neighborhood groups, and others?

Answer: Yes, if requested by a group or organization to present factual information about a ballot measure including its anticipated impact on the community. Promotional activity by public employees must be done on their own time outside of normal working hours.

The use of public facilities in arranging or conducting speaking engagements to discuss the merits of a ballot measure would be prohibited.

19. Question: May a local agency's planning documents, such as a five-year plan assume the passage or failure of a ballot measure when developing financial projections?

Answer: It is important for local agencies to develop plans that take many contingencies into account, including passage and failure of a ballot measure.

RESOURCES

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